

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

SENETHA MONTGOMERY,

Plaintiff,

v.

CIVIL ACTION NO. 5:11-cv-00698

APPLIED BANK,

Defendant.

ORDER OF DISMISSAL

By *Memorandum Opinion and Order* entered on January 31, 2012, this matter was stayed pending resolution of arbitration. The Court hereby **ORDERS** that the **STAY BE LIFTED**.

By *Order* entered on February 5, 2013, the parties were directed to provide the Court with a written status of this matter by February 19, 2013. The parties failed to comply with that directive.

By *Order* entered on February 25, 2013, the parties were advised that this matter would be dismissed on March 4, 2013, if the Court received nothing further from the parties. No pleadings having been filed since that date, the Court does hereby **ORDER** that this action be **DISMISSED WITH PREJUDICE** and **STRICKEN** from the docket of the Court.

The Court further **ORDERS** that this civil action may be reinstated only upon written motion of one of the parties alleging good cause for such reinstatement and filed within thirty (30) days of the entry of this Order.

It is also **ORDERED** that any motions pending at the time of this dismissal are hereby **TERMINATED AS MOOT**.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to counsel of record and to any unrepresented party.

ENTER: March 4, 2013



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA